

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An electronic camera comprising:  
image pick-up means for continuously imaging an object;  
temporary memory means for temporarily storing plural frames of image data continuously imaged by said image pick-up means;  
image compressing means for compressing the plural frames of image data stored in said temporary memory means using a uniform compression factor value and generating plural frames of encoded image data;  
shooting evaluation means for evaluating a good or bad shooting state of the image data imaged by said image pick-up means based on comparison of a data amount of the plural frames of encoded image data compressed by said image compressing means;  
still image selection means for selecting the image data with a highest evaluation of said shooting evaluation means among the image data stored in said temporary memory means; and  
image saving means for saving the encoded image data selected by said still image selection means.
2. (Previously Presented) The electronic camera as set forth in claim 1,  
wherein said temporary memory means begins temporary storage of the image data after a release operation of the electronic camera.
3. (Previously Presented) The electronic camera as set forth in claim 1,  
wherein said temporary memory means sequentially takes in new image data from said image pick-up means and sequentially updates the image data in the temporary memory means during a waiting state of a release operation; and

after the release operation of the electronic camera, stops the data update at the time of temporarily storing image data spanning from before to after the release operation of the electronic camera.

4. (Previously Presented) The electronic camera as set forth in claim 1, wherein said temporary memory means and said image saving means use a same memory mechanism.

5. (Original) The electronic camera as set forth in claim 1, wherein said temporary memory means differentially compresses plural frames of image data which are continuously imaged by said image pick up means.

6-10. (Cancelled)

11. (Previously Presented) The electronic camera as set forth in claim 1, wherein, as at least one of the good or bad evaluations of said shooting state, said shooting evaluation means detects a blurring amount and/or a misfocus amount of said image pick-up means.

12. (Previously Presented) The electronic camera as set forth in claim 11, wherein, as at least one of the good or bad evaluations of said shooting state, said shooting evaluation means determines the spatial frequency component of said image data.

13. (Previously Presented) The electronic camera as set forth in claim 12, wherein said shooting evaluation means determines a high-area component amount of the spatial frequency, based upon a compressed encoding amount of said image data.

14. (Previously Presented) The electronic camera as set forth in claim 13, wherein, as at least one of the good or bad evaluations of said shooting state, said shooting evaluation means determines a release time lag, which is a time difference

between a release operation of the electronic camera and an image pick-up time of the image data.

15. (Currently Amended) An electronic camera comprising a controller that:

evaluates a good or bad shooting state of continuously imaged image data of an object, the continuously imaged image data as plural frames of image data stored in a temporary memory and the evaluation based on comparison of an encoded data amount of plural frames of encoded image data compressed from the plural frames of image data from the continuously imaged image data;

selects an image data with a highest evaluation among the continuously imaged image data; and

saves the selected image data.

16. (Cancelled)